

bill as amended, Senator Lynch.

SENATOR LYNCH: Mr. President and members, currently, Nebraska law provides that people must report fraudulent acts. It also provides, interestingly enough, that you can't take the Fifth. You are supposed to provide it, and under some cases you are forced to provide it but you are not immune from the circumstances of civil suit. This is an important bill because it deals with insurance fraud. At the present time, the National Association of Insurance Commissioners is trying to get a handle on what insurance fraud is all about. To do that, across the country, they are proposing that we support model legislation, such as this, that would offer incentives to people to provide information to the commissioner of insurance and the insurance departments in every state, so that they could understand the trends that may or may not exist, or old habits that may be disappearing, but, nevertheless, better understand the fraudulent aspect of insurance acts, and be able to better handle it. Cost of fraud is obviously in the millions. What this bill provides is immunity from the civil liability for persons who report fraudulent insurance or reinsurance transactions to the Department of Insurance provided, however, that the report was made without malice. It also establishes immunity from civil liability for the director, employees, and agents of the Department of Insurance when acting without malice, again, with respect to the investigations. That is really about as simple as it is. It provides a vehicle for us to better manage the extraordinary liability cost especially by providing a vehicle for us to better investigate the legitimate and honest concerns of people concerned with this. It provides that incentive necessary. I would try to answer any questions you might have. I understand there will be an amendment offered by Senator Ashford.

SPEAKER BARRETT: Thank you, Senator Lynch. Yes, the Chair is of the impression that there is an amendment on the desk. Mr. Clerk.

CLERK: Mr. President, Senator Ashford would move to amend the bill. Would you like me to read, Senator, or not?

SENATOR ASHFORD: You may, yes.

CLERK: Okay. (Read Ashford amendment as found on page 665 of the Legislative Journal.)